

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. NAVY SEALs 1–26, et al.,

Plaintiffs,

v.

LLOYD J. AUSTIN, III, et al.,

Defendants.

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Civil Action No. 4:21-cv-01236-O

**ORDER REGARDING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

Before the Court is Michael Webb’s motion for leave to proceed *in forma pauperis* on appeal (ECF No. 188) and, upon review, the Court finds and orders as follows:

The motion for leave to proceed *in forma pauperis* on appeal, filed pursuant to 28 U.S.C. § 1915, is **DENIED**. Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that the appeal is not taken in good faith.

REASONS FOR CERTIFICATE: The Court’s Orders Denying Webb’s Motion to Intervene (ECF No. 157) and Motion for Reconsideration (ECF No. 167) are based on well settled law and an appeal would be frivolous. In support of this certificate, the Court hereby adopts and incorporates by reference the Court’s Orders (ECF No. 157, 167).

Although this Court has certified that the appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3), the applicant may challenge this finding pursuant to *Baugh v. Taylor*, 117 F.3d 197 (5th Cir. 1997), by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.

SO ORDERED this 12th day of July, 2022.


Reed O'Connor
UNITED STATES DISTRICT JUDGE